

PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

See also in this Bulletin: Omnibus Rulemaking Notice - Notice of Legislative Approval of Pending Rules as Final Rules and Extension of Temporary Rules - Fifty-Sixth Legislature Second Regular Session 2002

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE PO Box 83720, Boise, ID 83720-0036

Docket No. **16-0305-0201** - Rules Governing Aid to the Aged, Blind and Disabled. Eliminates State cash assistance for some residents of Residential and Assisted Living Facilities and Certified Family Homes whose care will be paid for by Medicaid Personal Care Services. Some residents will continue to receive State cash assistance at a reduced rate if their income is too low to pay facility costs that are not reimbursed by Medicaid; updates terminology. Comment by: 5/22/02.

*** 16.03.09 - Rules Governing the Medical Assistance Program.**

*Docket No. **16-0309-0202** - Reimbursement to individual, non-commercial, non-emergency transportation providers using their private vehicles to transport Medicaid clients, to a maximum of 5 passengers per vehicle, for medical and non-medical (waiver) activities will be reduced to a rate established by the Department for actual vehicle mileage regardless of number of clients being transported at one time; decreases meal reimbursement rate. Comment by: 5/22/02.

*Docket No. **16-0309-0203** - Medicaid will only cover up to 4 covered drugs and pharmacy items per calendar month for eligible adults after the month of their 21st birthday, unless prior authorized by the Department; if not prior authorized, recipients shall be responsible for charges which exceed 4 per calendar months. Comment by: 5/22/02.

*Docket No. **16-0309-0204** - Allows Division of Medicaid to pursue medical support costs from Absent Parents who have been court ordered to pay child's medical support. Comment by: 5/22/02.

*Docket No. **16-0309-0205** - Changes in dental rules comply with intent language in Department's appropriations bill to reduce Medicaid coverage to "emergency services only" for adults after the month of their 21st birthday. Comment by: 5/22/02.

*Docket No. **16-0309-0206** - Changes Medicaid reimbursement methodology for Medicaid claims that are also covered by Medicare Part B. New methodology will treat Medicare as any other third party resource (pay the provider up to the Medicaid allowed amount minus the third party, or Medicare, payment). Comment by: 5/22/02.

Docket No. **16-0601-0201** - Rules Governing Family and Children's Services. The current 5 dispositional codes used for child protection reports will be replaced by 2 dispositions: substantiated and unsubstantiated, with a clear definition of each. Comment by: 5/22/02.

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY 1410 N. Hilton, Boise, ID 83706-1255

Docket No. **58-0111-0201** - Ground Water Quality Rule. Provides that cyanide shall be analyzed as weak acid dissociable cyanide using a method approved by DEQ and currently in use; deletes obsolete sections. Comment by: 5/22/02.

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO P.O. Box 83720, Boise, ID 83720-0078

Docket No. **59-0105-0201** - Separation of Service Rules of PERSI. Complies with changes in federal law to include allowing for the purchase of service under limited circumstances; allows for rollovers into the Base Plan from eligible retirement plans and rollovers out of the Base Plan; and provides for minimum distributions generally as provided by federal law and provides a maximum distribution period for payment of death benefits under the Base Plan. Comment by: 5/22/02.

Docket No. **59-0106-0201** - Retirement Rules of PERSI. Complies with changes in federal law to include that no forfeitures under the plan may be used to increase benefits otherwise received by members of the plan as required by the IRS; provides that to the extent Base Plan benefits are determined based on actuarial assumptions, that those assumptions be specified in the plan as required by the IRS; sets forth the limit of compensation that can be considered in calculating a benefit; and sets the limit that can be paid under a defined benefit plan as required by federal law. Comment by: 5/22/02.

SCHEDULED PUBLIC HEARINGS

Public hearing have been scheduled for the following dockets:
Department of Health and Welfare
Docket No. **16-0601-0201** - Rules Governing Family and Children's Services.

Please refer to the Idaho Administrative Bulletin, **May 1, 2002, Volume 02-5** for notices and text of all rulemakings, public hearing schedules, Governor's executive orders, and agency contact names.

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